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OFFICE OF PETITIONS

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| In re Application of | : | |
| Sung Moon Chun et al. | : | |
| Application No. 09/195,897 | : | DECISION ON RENEWED PETITION |
| Filed: November 19, 1998 | : | UNDER 37 C.F.R. §1.181(A) |
| Attorney Docket No.: | : | |
| 06730/017001 | : | |
| Title: OBJECT-BASED CODING AND | : | |
| DECODING APPARATUSES AND | : | |
| METHODS FOR IMAGE SIGNALS | : | |

This is a decision on the renewed petition filed on November 9, 2006, pursuant to 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

BACKGROUND AND PROCEDURAL HISTORY

The above-identified application became abandoned for failure to submit the issue fee and corrected drawings in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed March 7, 2005, which set a shortened statutory period for reply of three months. No extensions of time are permitted for transmitting corrected drawings or issue fees¹. Accordingly, the above-identified application became abandoned on June 8, 2005. A Notice of Abandonment was mailed on October 27, 2005.

An original petition was filed on December 7, 2005, where Petitioner alleged that the Notice of Allowance and Issue Fee Due was not received. This petition was dismissed via the mailing of a decision on September 27, 2006.

¹ See MPEP §710.02(e).

ANALYSIS

With this renewed petition, Petitioner has submitted a change of address request, which contains a certificate of mailing dated July 16, 2001, and was signed by Petitioner.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that the mailing was not received.

CONCLUSION

Accordingly, this renewed petition under 37 C.F.R. §1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

The Technology Center will be notified of this decision. The Technology Center's support staff will re-mail the Notice of Allowance and Issue Fee Due of March 7, 2005, and will set a new period for response.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
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United States Patent and Trademark Office

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).